

**AFFIDAVIT OF SCOTT VAN VALIN ON BEHALF  
OF THE EL CAPITAN LODGE, LLC  
( 3 AAC 110.480(b))**

STATE OF ALASKA            )  
  ) ss:  
First Judicial District        )

I, Scott Van Valin, being first duly sworn, depose and say:

1. I am over the age of eighteen years. I am the managing member and owner of the El Capitan Lodge, LLC, located within the Sarkar Subdivision on Prince of Wales Island, Alaska. I have managed the business of the El Capitan Lodge for the last 10 years, and have been an owner of the business since 2003.

2. El Capitan Lodge, LLC, is an Alaska limited liability company formed in January 2004, is in good standing with the state of Alaska, having paid all fees due the State of Alaska, and having filed the most recently required Biennial Report. El Capitan Lodge, LLC, holds a valid Alaska business license and is otherwise authorized to do business in the state of Alaska.

3. I assisted in the preparation of the Respondent's Brief, which is being submitted to the Local Boundary Commission in response to the Petition for the incorporation of Naukati as a second-class city. I prepared the Respondent's Brief in conjunction with James Van Altvorst, of Van Altvorst & Associates, and H. Clay Keene, of the law firm of Keene & Currall, both of Ketchikan, Alaska.

4. I have reviewed in detail the Petition for the incorporation of Naukati. I have submitted my personal letter of objection and this Respondent's Brief as I take issue with Petitioners.

5. During the fall of 2003, I spoke telephonically with Art King, one of the named petitioners, and was asked whether I would oppose the Sarkar Subdivision being incorporated into and made a part of the community of Naukati. That was my first contact with Art King regarding his efforts to incorporate the Sarkar properties as part of Naukati. I told Mr. King at that time that I opposed any effort by him or the community of Naukati to include Sarkar within its boundaries.

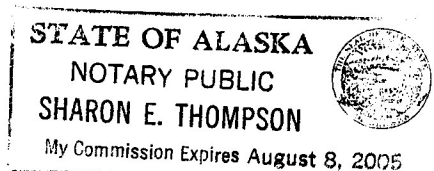
6. Contrary to the comments in the Petition, I did not provide any petitioner with financial information concerning the lodge business. At no time prior to the filing of the Petition was I advised that the community of Naukati was looking to El Capitan Lodge to provide tax revenue for the proposed city of Naukati.

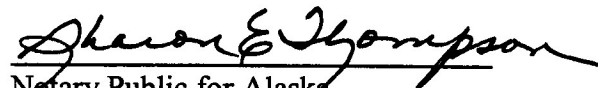
7. To the best of my knowledge, information, and belief, which has been formed after inquiry into the facts and representations stated in the Respondent's Brief, I believe that such facts and representations are true and correct, and I acknowledge that they have not been offered to the Commission to harass or cause the unnecessary delay or needless expense in the cost Petitioner may incur in processing the petition.

Dated this 12<sup>th</sup> day of July 2004.

  
Scott Van Valin

SUBSCRIBED AND SWORN TO before me this 12<sup>th</sup> day of July 2004.



  
Notary Public for Alaska  
Commission expires: 8-8-05